

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

Rebecca A. Solarz
KML LAW GROUP, P.C.
216 Haddon Avenue, Ste. 406
Westmont, NJ 08108
THE BANK OF NEW YORK MELLON FKA THE BANK OF
NEW YORK AS TRUSTEE FOR THE CERTIFICATEHOLDERS
OF CWALT, INC., ALTERNATIVE LOAN TRUST 2005-9CB,
MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-
9CB

In Re:
Wharmby, Robert



Order Filed on August 12, 2019
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No: 18-22442 RG

Chapter: 13

Hearing Date: August 7, 2019

Judge: Rosemary Gambardella

**ORDER VACATING STAY
AND CO-DEBTOR STAY**

The relief set forth on the following page is hereby ordered **ORDERED**.

DATED: August 12, 2019

A handwritten signature in cursive script that reads "Rosemary Gambardella".

Honorable Rosemary Gambardella
United States Bankruptcy Judge

Upon the motion of THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF CWALT, INC., ALTERNATIVE LOAN TRUST 2005-9CB, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-9CB, under Bankruptcy Code Sections 362(a) and 1301 (c) for relief from the automatic stay as to certain property as hereinafter set forth, and for cause shown, it is

ORDERED that the automatic stay is vacated to permit the movant, to institute or resume and prosecute to conclusion one or more actions in the court(s) of appropriate jurisdiction to pursue the movant's rights in the following:

☒ Real Property More Fully Described as:

**Land and premises commonly known as Lot 14 fka 32, Block 709 fka 80,
658 Chestnut Avenue, Teaneck NJ 07666**

☐ Personal Property More Fully Describes as:

It is further ORDERED that the movant, its successors or assignees, may proceed with its rights and remedies under the terms of the subject Mortgage and pursue its State Court remedies including, but not limited to, taking the Property to Sheriff's Sale, in addition to potentially pursuing other loss mitigation alternatives, including, but not limited to, a loan modification, short sale or deed-in-lieu foreclosure. Additionally, any purchaser of the Property at Sheriff's Sale (or purchaser's assignee) may take any legal action for enforcement of its right to possession of the Property.

It is further ORDERED that the movant may join the debtor and any trustee appointed in this case as defendants in its action(s) irrespective of any conversion to any other chapter of the Bankruptcy Code.

It is further ORDERED that the Co-Debtor Stay is vacated.

The movant shall serve this order on the debtor, any trustee and any other party who entered an appearance on the motion.

rev. 7/12/16

Certificate of Notice Page 3 of 3
United States Bankruptcy Court
District of New Jersey

In re:
Robert Wharmby
Debtor

Case No. 18-22442-RG
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Aug 12, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 14, 2019.

db +Robert Wharmby, 658 Chesnut Avenue, Teaneck, NJ 07666-2402

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 14, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 12, 2019 at the address(es) listed below:

Alfred V Acquaviva on behalf of Debtor Robert Wharmby aacquaviva@avalawyers.com,
Robert@sideofficesolutions.com

Marie-Ann Greenberg magecf@magtrustee.com

Rebecca Ann Solarz on behalf of Creditor THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK
AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF CWALT, INC., ALTERNATIVE LOAN TRUST 2005-9CB, MORTGAGE
PASS-THROUGH CERTIFICATES, SERIES 2005-9CB rsolarz@kmlawgroup.com

U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 4